

REMARKS

Claims 1-34 and 38-48 are now pending in this application. Claims 1-3 and 5-8 are allowed. Claims 24 and 25 are rejected. Claims 26 and 28 are objected to. Claims 35-37 are cancelled herein. New claims 46-48 are added. Claims 10, 24, 26, 31, 38, 40, 42 and 44 are amended herein. Claims 4, 9-23, 27 and 29-45 are withdrawn from consideration by the Examiner.

Claim 10 is amended to change “pivotable” to “pivoting” merely in order to make claim terminology consistent and the amendment does not affect the scope of the claim. Claim 24 is amended to incorporate a portion of the subject matter of claim 26 thereby making claim 24 a broaden version of claim 26 eliminating limitations relating to the movable member. Claims 26 and 31 are amended only to make limitations consistent with the amended of claim 24. Claims 38, 40, 42 and 44 are amended to stand in independent form. The amendments broaden language as deemed appropriate and address matters of form unrelated to substantive patentability issues.

DRAWING OBJECTION

The drawings are objected to for, *inter alia*, having poor line quality. Formal versions of the drawings are submitted herewith. Withdrawal of the objection is respectfully requested.

SPECIFICATION OBJECTION

The specification is objected to due to a reference number discrepancy. The specification is amended to correctly identify the “case face plate 58 extending

radially inward of the inner holding ring 51.” Withdrawal of the objection is respectfully requested.

INTERVIEW ACKNOWLEDGMENT

The applicant and applicant's attorney appreciate the Examiner's granting of the telephone interview conducted on September 15, 2005, and extend their thanks to the Examiner for his time and consideration. During the interview, the subject matter of claim 26 was discussed and agreement was reached regarding transplanting the subject matter of the split ring of claim 26 into claim 24. It was agreed that this subject matter was not disclosed by the cited references. In so far as the Interview Summary indicates that a “copy of the amendments” should be attached, applicant attaches hereto a copy of the Interview Summary detailing the amendments agreed upon. The substance of the interview is related herein as deemed applicable to the rejections/objections of the Office Action.

With regard to withdrawn claims 38-45, it was agreed that placing them into independent form directed to their respective embodiment of the invention, incorporating the subject matter of allowed claim 1 or claim 24 as amended herein would place the claims into condition for allowance. Therefore, allowance of the claims is respectfully solicited.

CLAIM REJECTIONS UNDER 35 U.S.C. § 102(b)

Claims 24 and 25 are rejected under 35 U.S.C. § 102(b) as being anticipated by the Beymer reference. Applicant herein respectfully traverses these rejections. “Anticipation requires the presence in a single prior art reference

disclosure of each and every element of the claimed invention, *arranged as in the claim.*” *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984) (emphasis added). It is respectfully submitted that the cited reference is deficient with regard to the following.

As related above, claim 24 is now amended to incorporate the split ring of claim 26 which is indicated as including allowable subject matter. A review of the Beymer reference reveals that the reference uses a compression spring to apply bias. As such, inclusion of the split ring of claim 26 into claim 24 was agreed to be distinguishing. The split ring is related to the movable member as biasing the movable member at an inner circumference thereof as is clearly related in Figs. 4a, 8a, 8b, 9c, 11-13 and 16a.. In view of the agreement reached in the interview, it is respectfully submitted that claims 24 and 52 are now allowable and allowance of the claims and claims dependent therefrom are respectfully requested.

While moot in view of the above amendment, applicant respectfully traverses the Examiner’s comment regarding “narrative language” after the phrase “such that” as lacking proper statutory or case law basis. Functional description of arrangements of claimed structural elements in claims is per se proper.

CLAIM FEES

Three independent claims in excess of three are added. **The fee of \$300.00 for the claims is provided for in the charge authorization presented in the PTO Form 2038, Credit Card Payment form, provided herewith.**

REQUEST FOR EXTENSION OF TIME


Applicant respectfully requests a one month extension of time for responding to the Office Action. **The fee of \$60.00 for the claims is provided for**

in the charge authorization presented in the PTO Form 2038, Credit Card Payment form, provided herewith.

If there is any discrepancy between the fee(s) due and the fee payment authorized in the Credit Card Payment Form PTO-2038 or the Form PTO-2038 is missing or fee payment via the Form PTO-2038 cannot be processed, the USPTO is hereby authorized to charge any fee(s) or fee(s) deficiency or credit any excess payment to Deposit Account No. 10-1250.

In light of the foregoing, the application is now believed to be in proper form for allowance of all claims and notice to that effect is earnestly solicited.

Respectfully submitted,

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SUBMISSION OF FORMAL DRAWINGS:

Please find accompanying this response replacement sheets for Figs. 1-16b. The replace sheets are merely submissions of formal drawings of said figures and do not effect substantive changes and do not introduce new matter..